

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|------------------------------|---|-------------------------|
| STENIO DESOUZA, and |) | |
| RAQUEL DESOUZA, |) | Civil Action No: 05-787 |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | JURY TRIAL DEMANDED |
| |) | |
| PETTINARO CONSTRUCTION, CO., |) | |
| INC, et al., |) | |
| |) | |
| Defendants. |) | |

AFFIDAVIT

STATE OF NEW JERSEY :

COUNTY OF ^{SS.} BURLINGTON

Antonio Rodrigues, being duly sworn this 5th day of Sept., 2006,
hereby deposes and says:

1. That he, Antonio Rodrigues, is a competent adult over the age of majority and free from any mental infirmities or disabilities that would otherwise impair his ability to recall events correctly or testify truthfully.
2. Antonio Rodrigues affirms and acknowledges that to the best of his recollection all statements made herein are truthful and correct and otherwise subject to penalties of law for perjury.
3. Antonio Rodrigues affirms that he is the President of U.S. Construction, Inc. located at 516 Fairview Street, Riverside, New Jersey 08075, a named Defendant in *Desouza v. Pettinaro, et. al*, an action filed in the United States District Court for the District of Delaware, C.A. No. 05-787.

4. Antonio Rodrigues affirms that at no time has he, and/or U.S. Construction, Inc., or any of its servants, agents and/or employees, ever participated in any construction project within the state of Delaware.
5. Antonio Rodrigues affirms that at no time has U.S. Construction, Inc. or any of its servants, agents and/or employees worked or otherwise been present at the Rockwood Apartments located at 100 Cindy Drive, Newark, Delaware 19702, the site at which plaintiff's alleged injuries occurred.

BY: Antonio Rodrigues
ANTONIO RODRIGUES

SWORN TO AND subscribed before me this 5th day of September,
2006.

BY: Masciuna
NOTARY PUBLIC

My Commission Expires: 6/01/2011